

Minutes of the Meeting of the
Arizona Game and Fish Commission
Friday, March 10, 2006 – 8:00 a.m.
Riverpark Inn, 350 S. Freeway Road
Tucson, Arizona 85745

PRESENT: (Commission)

(Director's Staff)

Chairman Joe Melton
Commissioner Michael M. Golightly
Commissioner William H. McLean
Commissioner Robert Hernbrode

Director Duane L. Shroufe
Deputy Director Steve K. Ferrell
Assistant Attorney General Jim Odenkirk
Assistant Attorney General Shelley Cutts

Chairman Melton called the meeting to order at 8:08 a.m. The Commissioners introduced themselves and Chairman Melton introduced the Director and the Director's staff. Commissioner Gilstrap was not present for this meeting. This meeting followed an agenda revision dated March 6, 2006.

Awards and Commissioning of Officers – None at this time.

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1. Litigation Report

A copy of this report was provided to the Commission prior to today's meeting and is included as part of these minutes. There were no additional updates from Mr. Odenkirk and the Commission had no questions or comments regarding the report.

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2. An Update on Current Issues, Planning Efforts, and Proposed Projects on State and Federal Lands in Arizona and Other Matters Related Thereto

Presenter: Bob Broscheid, Habitat Branch Chief

A copy of the Lands Update report was provided to the Commission prior to today's meeting and is included as part of these minutes. The update addressed decisions or activities since the February 2006 Commission meeting. This update is in fulfillment of the Department's commitment to brief the Commission on a regular basis regarding decisions and actions on all state and federal lands in Arizona.

Mr. Broscheid noted a couple additional items: 1) The Department received a request from the Regional Forest Service for the Department's involvement in the development of the southwest regions drought policy. The drought policy will set the framework for actions that will be implemented on Forest Service lands regarding the current drought and any future drought. That policy will instruct each Forest to come up with management guidelines on how they are going to regulate activities such as livestock grazing. The Department is currently drafting a response letter requesting involvement in that process as it relates to issues the Department has regarding

fish and wildlife resources; and 2) The BLM Phoenix Field Office released the Agua Fria National Monument/Bradshaw/Harquahala Resource Management Plan (RMP) and Environmental Impact Statement (EIS) for public review and comment.

Mr. Clay Templin, Field Manager, Phoenix Field Office, BLM and Chris Horyza were present to provide the Commission with an overview of the RMP that BLM is proposing for these lands in the next ten to fifteen years.

Mr. Templin provided a map for the Commission and pointed out the new BLM district boundaries for the new BLM District Office, which replaces what was known as the BLM Phoenix Field Office. Further, Mr. Templin briefed the Commission on BLM activities in regards to the RMP process up to this point and then leading up to implementation.

Mr. Horyza briefed the Commission and showed locations on the map of some of the allocations and designations that BLM has promoted as preferred alternatives. The Plan has five alternatives, which consists of two volumes and includes 120 maps; several copies were available for the Commission or the public. A wide range of scenarios were analyzed in this document and Mr. Horyza briefly mentioned several that he thought may be of interest to the Commission.

Public Comment

Brian Dolan, Past President of the Arizona Desert Bighorn Sheep Society (ADBSS), addressed the Commission stating that he reviewed the plan and had several items of concern including: 1) In the Executive Summary, the citation for the Wilderness Act was incorrect, it should be the Arizona Desert Wilderness Act of 1990; 2) The word enhance and its definition causes concern; 3) 96,000 acres are, in essence, a buffer to existing wilderness areas and there was not supposed to be buffer areas anymore; 4) The word "wilderness" causes concern, 300,000 acres appear to be designated for solitude management; 5) BLM does not seem to have clear implementation guidance on how to administer and manage some of these land allocations. Mr. Dolan is not confident that these issues are going to be resolved in the tiered down implementation plan. Language needs to be in the document that clearly establishes Game and Fish Commission and Department roles for management of wildlife. Future potential conflict needs to be resolved for the benefit of wildlife.

Mr. Horyza addressed several of Mr. Dolan's concerns including that the word enhance is not used in terms of wilderness areas, but is used in terms of the recreation experience. Road closures and the designation of a route network is an implementation decision, which includes a broad range of public participation. The intent is to provide a diverse recreation policy.

Chairman Melton confirmed with Mr. Horyza that road inventory and determinations were not yet made as far as what roads will be closed or not.

Mr. Horyza stated that was correct except for the Agua Fria National Monument.

Chairman Melton requested a copy of the plan/map that shows those roads and road closures, and asked about maps and road closures in other areas and why those weren't complete.

Mr. Horyza stated that the inventory was incomplete as there is over 2000 miles of roads. The policy is that they have five years after signature of the RMP to complete that process.

Chairman Melton commented that he is very unhappy with current road closure plans in the Arizona Strip area and that's what he will hear from sportsman.

Mr. Horyza stated that BLM wants to do the road closure process in a cooperative way with public participation in making those decisions.

Commissioner McLean stated that the Memorandum of Understanding (MOU) is an important part of this document and asked for a commitment that BLM will move the MOU along so that it will be ready for signature simultaneous or prior to the finalization of the RMP.

Mr. Broschied stated that the BLM State Office did commit and there intent is to work with the Department to get the MOU completed. There are things that cannot be predicted and there will be conflicts. The MOU is going to outline the process of how the Commission/Department is going to resolve those issues; attaching the MOU to the RMP is the goal.

Commissioner Golightly confirmed with Mr. Templin that the public input was diverse and not from any select group or only those who would come to a public meeting.

Mr. Templin stated that they were taking in and considering all public input.

Commissioner Golightly asked about mining in wilderness areas and about designated road closures that lead to mines, particularly in the Parashant areas.

Mr. Horyza stated that wilderness areas are mostly closed to mining, but it depends on the area; some would remain open, it depends on the process of evaluation.

Commissioner Golightly confirmed with Mr. Horyza that just because the mine is closed doesn't mean that the road will be closed, because many of those roads are used by hunters.

Mr. Horyza stated that was correct.

Commissioner Hernbrode asked about Class 1 in the RMP and if that classification would preclude wildlife waters in that area or could a non-visible wildlife water source be installed.

Mr. Horyza stated yes, but it would have to be evaluated.

Mr. Broscheid stated that allocations are not project stoppers, but project modifiers. BLM is committed to working through evaluations of projects and the MOU is being established for working through these conflicts.

Chairman Melton stated that the MOU needs to be kept short and uncomplicated, plainly laying out the process of resolving conflicts.

Mr. Broscheid stated that once completed, the MOU will be provided to the Commission and the Commission will have ample time to review it.

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3. Consent Agenda

Consent agenda item 3.a. was pulled from the consent agenda to be addressed at a later date, and consent agenda item 3.c was publicly noticed as deleted from the agenda.

3.b. Request for the Commission to Approve an Intergovernmental Agreement with the City of Tucson for the Purpose of Continued Development of a Habitat Conservation Plan

Presenter: Bob Broscheid, Habitat Branch Chief

The Arizona Game and Fish Commission and the City of Tucson applied for and received approval of a Phase II Assistance Grant from the U.S. Fish and Wildlife Service Section 6 Cooperative Endangered Species Conservation Fund for Habitat Conservation Planning purposes. This Agreement is required to formalize a partnership to develop a Habitat Conservation Plan (HCP) for the City of Tucson Planning area. The planning area includes more than 134,000 acres of land in the Avra Valley, the Santa Cruz River corridor within the City, and the undeveloped lands of the southeastern portion of the City.

The City of Tucson is committing to implementing conservation actions that will minimize and mitigate the impacts of any take of at least seven wildlife species that could occur as a result of planned urban development over the next 25 years. The HCP will provide a framework for cooperation among participating organizations, agencies, and landowners to guide restoration and management activities for listed and sensitive species in the planning area. In accordance with the agreement, the City will develop a Draft Habitat Conservation Plan, a Draft Implementing Agreement, and provide the Department with invoices for expenses incurred during the development of these documents. The Department will provide advice and technical assistance during the planning process, and will reimburse the City of Tucson for eligible expenses identified in the agreement.

Leslie Liberti, Environmental Planning Manager for the City of Tucson, addressed the Commission in support of this agreement.

Motion: Hernbrode moved and McLean seconded THAT THE COMMISSION VOTE TO APPROVE THE INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF TUCSON FOR THE PURPOSE OF CONTINUED DEVELOPMENT OF A HABITAT CONSERVATION PLAN AND EXECUTE THE AGREEMENT AS ATTACHED OR AS RECOMMENDED OR APPROVED BY THE OFFICE OF THE ATTORNEY GENERAL.

Vote: Unanimous
4 to 0, Gilstrap absent

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Meeting recessed for a break at 9:26 a.m.

Meeting reconvened at 9:49 a.m.

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4. State and Federal Legislation

Presenter: Anthony Guiles, Legislative Liaison

The Commission was provided with a Legislative Analysis dated March 10, 2006, outlining several bills of interest to the Department and Commission, including those they had taken a formal position on. Legislative activities were reported to the Commission as they occurred since the last Commission meeting; however Mr. Guiles highlighted a couple items of interest to the Commission:

- H2129, the poaching bill, passed in the House by a large margin and will now go to the Senate
- H2130, hunter harassment bill, an amendment was offered by Senator Flake and the Department is working with him on the language of that amendment
- S1438, wildlife feeding bill, passed the Senate, 22 to 8, and now goes to the House
- S1508, off-highway vehicle bill, has been held up in discussion in the Appropriations Committee and an amendment is being drafted
- H2127, non-resident big game permits; limits, was heard in the Senate Natural Resources Committee and passed out of committee on a 5 to 1 vote
- S1300, has not yet been placed on a Rules Committee agenda.

Additionally, the budget may be out this coming week. The supplemental budget request will be included with the Omnibus Budget bill, which is a larger bill that will go to the Governor's Office.

Commissioner Golightly pointed out for the benefit of the public that there is an amendment attached to H2127 that states that the Commission must have a unanimous vote, and to his understanding that means all five Commissioners, not just a quorum, will be needed to do anything with the 10% cap. That is direct legislative oversight and will have an impact on the sportsmen of the state. Currently, the Commission only needs a majority of the Commission to change a rule or law within their authority. The Commission has taken a position of opposition to this bill and if that position still stands and if directed by the Commission, Commissioners Golightly and McLean will continue to lobby against this bill.

Commissioner McLean added that this bill gives a single Commissioner control over those issues by simply being absent from a Commission meeting.

Commissioner Hernbrode requested that S1488 regarding hunters crossing private property be opposed by the Commission instead of being monitored.

Mr. Guiles stated that S1488 never had a committee hearing so it is a dead bill at this point in time.

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5. Briefing on the Employee Compensation Proposal to be submitted to the 2006 Arizona State Legislature

Presenter: Steve Ferrell, Deputy Director

Mr. Ferrell provided the Commission with a briefing on the employee compensation proposal and covered activities that have occurred since the February 2006 Commission meeting. The Supplemental Budget continues to progress favorably through the Legislature. It may be out of the House and Senate Appropriations Committees as part of the whole state budget next week. The Department continues to get assurances from both JLBC and OSPB staff that there is nothing to be concerned about; however, the Department will continue to be engaged with those staffs to safeguard its progress.

Regarding the Non-wildlife Series, that process looks good as well. The Department continues to get positive cooperation from the Arizona Department of Administration (ADOA). They are still reviewing the three options proposed by the Department as to how the Department would proceed in calculating the Non-wildlife Series equity adjustments. The Department is on schedule to have the Non-wildlife Series Position Description Questionnaires completed and forwarded to ADOA by today, March 10, 2006. The Department is planning to have all Department Classification Actions complete and budgets allocated so that all increases can be implemented by July 1, 2006.

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6. Statewide Shooting Range Briefing.

Presenter: Dana Yost, Assistant Director, Information and Education Division

The Commission was provided with an update prior to this meeting of Department activities related to shooting range support and development statewide. The update covered activities that have occurred since the February 2006 Commission meeting. The statewide shooting range briefing is part of the Department's ongoing commitment to provide the Commission with updates on statewide shooting range development and shooting sports in general.

Mr. Yost noted a couple additional items: 1) The Department is ahead of schedule on the Hunter Education Range at the Ben Avery Shooting Facility (BASF) and it is currently operational and ready for use even though there are still improvements planned; and 2) On March 25 and 26, BASF will host the Department's Shooting Showcase. There are a lot of vendors covering the event and a lot of good publicity.

Mr. Broscheid, Habitat Branch Chief, provided a briefing on progress of the Northern Shooting Range location at Willard Springs. The Department met with the Forest Service on February 24, 2006 to outline the Commissions direction to move forward with Willard Springs as the site and to discuss the next steps in the process. A public meeting will be held April 15, 2006 at Northern Arizona University. Dates for meetings are being scheduled for the communities located in proximity to the site. A Memorandum of Understanding (MOU) is being developed with the Forest Service on how to work through the land exchange and NEPA process. The project schedule is currently being developed based on Commission direction. The gantt chart will outline the timeframes and the responsibilities of the NEPA process, the range design, and the appraisal and review of Commission owned lands brought forth in the land exchange.

Commissioner McLean suggested that Mr. Broscheid provide the same information to the communities in Kachina Village and Mountain Air side.

Commissioner Golightly asked when the gantt chart would be completed.

Mr. Broscheid stated that the goal was to have it completed and provided to the Commission by the April Commission meeting.

Director Shroufe stated that the Department is working with the Forest Service on a three year timeframe. The Department is one year into this and that is what the gantt chart will reflect. The gantt chart will be current and the Department will not lose time. Congressman Renzi will be provided with information and what he does with that is up to him.

Commissioner Golightly asked if the Department was waiting for something from Congressman Renzi regarding Camp Navajo.

Mr. Broscheid stated that Congressman Renzi is very interested in the project and has offered a site at Camp Navajo, which will be included in the evaluation, but the Department is not waiting. The Department is moving forward with the Willard Springs site, but will also consider Camp Navajo.

Commissioner Golightly requested that the Commission be provided with a copy of the analysis of the Camp Navajo site as soon as it is completed.

Public Comment

Landis Aden, Arizona State Rifle and Pistol Association, addressed the Commission in opposition to the new Department headquarters being located at the southwest corner of BASF. Mr. Aden's concerns were the welfare and viability of the ranges, including shotgun range expansion. According to Mr. Aden, another issue was the Commission's decision to locate the headquarters on the southwest corner when previous plans and information have shown that it would be located in the southeast corner.

Commissioner McLean stated that the location was not moved to the southwest corner. There was discussion and proposals for somewhere on the property ten years ago. In 2004, the Commission began discussing the idea of a new headquarters and where it would be located including its current location, downtown or other locations. The obvious answer was Commission owned property and BASF is one of the largest. The primary objective for BASF will continue to be that of a shooting range. Commissioner McLean further explained details and history that influenced the Commission's decision to locate the new headquarters at BASF and where on the property it would be located.

Commissioner Golightly referred Mr. Aden to the June 2003 and December 2004 Commission meeting minutes in regards to Commission discussion and decisions regarding the new headquarters location and further stated that BASF is a world class shooting range and the Commission is devoted and committed to it. Commissioner Golightly also dispelled the rumor that the Commission is going to sell BASF and stated that they are not going to do that.

Discussion continued with Mr. Aden and the Commission in regards to range expansion and location, buffers for the ranges, traffic issues, and other considerations for the decision to put the headquarters on the southwest corner of BASF.

Commissioner Golightly stated that a letter is being drafted to Mr. Aden's organization to address their concerns. Also, Commissioner Golightly clarified his previous comment regarding selling BASF in that he can't commit for the Commission, but if selling BASF were presented to the Commission for a vote, his vote would be no, just as it would be yes if voting to expand shotgun ranges.

Mr. Aden stated that he would be more comfortable if plans for shotgun ranges were already in place for the range.

Public Comment

Kerry Baldwin, former Department Education Branch Chief, stated that the Commission should revisit the 10 Year Plan Document for BASF and revise it as it was intended to be revised as things change, and that might alleviate some of the confusion.

Commissioner McLean stated that Plan revision was authorized by the Commission in December and Mr. Yost has been working on this under the Master Plan process.

Commissioner Golightly asked Mr. Baldwin about the process and public input of the 10 Year Plan and if the Plan was ever brought to the Commission for an acceptance vote.

Mr. Baldwin stated that public input was solicited and there were public meetings. The Commission was provided with elements of the plan and provided input and direction, but it was not formally approved. The Department wanted to bring back a flexible document and maintain flexibility in light of the rapid changes that were taking place at BASF. The Commission did do a work session at BASF, but never took any formal action.

Public Comment

Shelly Sanson, Arizona Rifle and Pistol Association, stated that as late as last year, the 10 year plan has been referred to by the Commission and the public was under the impression that it was an official document. The Commission should have told the public that the document was only a guideline. The document has been out there for ten years and had a map that showed a new headquarters behind the RV park.

Commissioner Golightly confirmed with Mr. Yost that a letter would be sent to the Arizona Rifle and Pistol Association by the first of next week.

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7. Rehearing Request Regarding Previous License Revocation/Civil Assessment

Presenter: Ronald L. Day, Law Enforcement Branch Chief

On June 22, 2005, Mark J. Dominguez was convicted in the Graham County Justice Court for: Possess/transport unlawfully taken wildlife and fined \$250.00; Take wildlife in excess of bag limit and fined \$250.00 (plus assessed court cost of \$20.00). On December 9, 2005, the Commission revoked Mr. Dominguez's hunting, fishing, and trapping licenses for a period of five (5) years, invoked a civil assessment of \$1,402.72 and further required that he complete Hunter Education before obtaining any license(s) to take wildlife in the State of Arizona. Mr. Dominguez requested a rehearing of this matter and decision and was notified by certified mail that the Commission will consider this request at the March 10, 2006, meeting, at 2:00 p.m. following any other scheduled hearings at the Riverpark Inn, 350 South Freeway, Tucson, Arizona. The Commission was provided with the case summary and other pertinent information relating to this case for review prior to this meeting.

Mr. Dominguez was present and addressed the Commission asking for a reduced term on his license revocation. He was remorseful and felt that five years was too long to not be able to hunt.

Motion: Hernbrode moved and McLean seconded THAT THE COMMISSION VOTE TO AFFIRM IT'S PREVIOUS DECISION IN THIS CASE.

Vote: Unanimous
4 to 0
Gilstrap absent

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8. Rehearing Request Regarding Previous License Revocation/Civil Assessment

Presenter: Ronald L. Day, Law Enforcement Branch Chief

On March 28, 2005, Amos Rutter, was convicted in the Flagstaff Justice Court for: Take wildlife in excess of bag limit (elk) and fined \$250.00. On August 12, 2005, the Commission revoked Mr. Rutter's hunting, fishing, and trapping licenses for a period of five (5) years, and further required him to complete Hunter Education before obtaining any license(s) to take wildlife in the State of Arizona. Mr. Rutter requested a rehearing of this matter and decision and was notified by certified mail that the Commission will consider this request at the March 10, 2006, meeting, at 2:00 p.m. following any other scheduled hearings, at the Riverpark Inn, 350 South Freeway, Tucson, Arizona. The Commission was provided with the case summary and other pertinent information relating to this case prior for review prior to this meeting.

Mr. Rutter was not present.

Motion: Hernbrode moved and McLean seconded THAT THE COMMISSION AFFIRM IT'S PREVIOUS DECISION.

Vote: Unanimous
4 to 0
Gilstrap

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9. Request to Close the Rulemaking Record and Approve a Notice of Final Rulemaking to Amend Article 1 Rules, Dealing with Definitions and General Provisions, to Designate All Game Management Units under A.R.S. § 17-316.

Presenter: Dustin McKissen, Rules and Risk Manager

The Arizona Game and Fish Department is making amendments to designate all game management units in the state as “hunt areas” under A.R.S. § 17-316 and to give the Game and Fish Director the authority to direct peace officers to enforce A.R.S. § 17-316 if it is determined that significant interference or disruption of a lawful hunt is likely to occur. Under this rulemaking, the provisions of A.R.S. § 17-316 shall become effective and enforceable immediately upon the Director’s order, and enforcement may last for the period of time associated with a particular interference or disruption. Additional amendments that prescribe notification requirements to the public and a definition of what constitutes a “hunt area” are also included in the rulemaking.

The Department’s objective is to reduce the potential for harassment of hunters during hunting seasons. Hunter harassment has become an increasing problem, principally instigated by organizations (some identified as domestic terrorism groups) whose objective in part is to impede recreational sport harvest. The Department holds that this rulemaking will allow the agency to take enforcement measures to address conduct that would likely precipitate physical confrontations between hunters and individuals opposed to hunting.

The draft Notice of Final Rulemaking, Economic Impact Statement, written comments and projected timeline were provided to the Commission prior to this meeting for consideration. If approved, the Department will submit the Final Rulemaking to the Governor’s Regulatory Review Council for consideration at their next meeting in May, 2006. The Department anticipates the rules will become effective by July 1, 2006.

Motion: Hernbrode moved and Golightly seconded THAT THE COMMISSION VOTE TO CLOSE THE RULEMAKING RECORD AND APPROVE A NOTICE OF FINAL RULEMAKING TO AMEND ARTICLE 1 RULES, DEALING WITH DEFINITIONS AND GENERAL PROVISIONS, TO DESIGNATE ALL GAME MANAGEMENT UNITS UNDER A.R.S. § 17-316 TO ADDRESS SIGNIFICANT INTERFERENCE OR DISRUPTION OF HUNTS IN THIS STATE.

Vote: Unanimous
4 to 0
Gilstrap absent

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Meeting recessed for a break at 11:28 a.m.

Meeting reconvened at 11:41 a.m.

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10. Request by Mr. Ronald C. Arndorfer for a Hearing to Reinstate His Bonus Points From the Fall 2005 Hunts Elk Hunt.

Presenter: Richard Rico, Assistant Director, Special Services

Mr. Arndorfer requested a hearing before the Arizona Game and Fish Commission to ask that his 13 bonus points for elk be reinstated from the fall 2005 elk season. This request is based upon an error that he believes the Department made in processing his manual application, which resulted in him being drawn for an antlerless elk tag. Mr. Arndorfer contends that he intended to apply for a bull elk tag and that the Department should have realized that he did not apply for an antlerless elk tag since he has always applied for bull elk hunts in the past.

As Mr. Arndorfer's application indicates, his first choice was for hunt 3002 (early bull elk unit 3A and 3C). His second hunt choice was keyed as hunt number 3066 (antlerless elk unit 23 S). However, he contends that he was actually applying for hunt number 3006 (early bull elk unit 10). Subsequently, he was drawn for hunt number 3066.

In reviewing his application, the Department believes his application clearly reflects that he applied for hunt 3066. Therefore, his request to be issued a bull elk permit for hunt number 3006 was denied as we believe this was an applicant error (legibility) not a Department error. Additionally, while Mr. Arndorfer states that the Department should have realized that he did not apply for an antlerless elk hunt, there is no inherent way for the Department to determine an applicant's prior hunt choices or their intent related to hunt choices. Thus, there would have been no reason for the Department to contact Mr. Arndorfer relative to any errors or questions regarding his application.

The Department received a letter from Mr. Arndorfer to the Commission dated March 3, 2006 (copies were provided to the Commission) in which Mr. Arndorfer requested that his 14 bonus points be reinstated.

Commissioner Hernbrode stated that the only error in this case is ineligible writing.

Motion: Hernbrode moved and McLean seconded THAT THE COMMISSION VOTE TO REINSTATE MR. ARNDORFER 13 BONUS POINTS.

Commissioner Golightly asked why not offer Mr. Arndorfer's request of 14 bonus points.

The Commission discussed whether or not Mr. Arndorfer should assume some responsibility, and would he still be in the bonus point pass percentage and what the difference may be between 13 and 14 points.

Motion Amended: Hernbrode moved and McLean seconded THAT THE COMMISSION VOTE TO REINSTATE MR. ARNDORFER'S 14 BONUS POINTS.

Vote: Unanimous
4 to 0
Gilstrap absent

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11. Request for Work Sessions By the Commission

Presenter: Josh Avey, Executive Staff Assistant

At the February Commission meeting in Yuma, the Commission requested an opportunity to present priority issues that they would like offered to the Commission in a work session. Mr. Avey asked the Commission for those recommendations for future publicly noticed work sessions that will provide them with needed training to address current issues.

Commissioner Hernbrode stated that he would like to have a work session on access, deer management with biologist included, the process of opening and closing of rules, and the BLM process of RMPs and the Commissions involvement on that. One preference would be to have a workshop in Sipes or Flagstaff this summer.

Mr. Avey confirmed with the Commission their list of subjects for work sessions to be access, the opening and closing of rules, deer management and the BLM process regarding RMPs, and for one work session to take place at Sipes or in Flagstaff during the summer.

Director Shroufe clarified with the Commission that these workshops would preferably be stand alone workshops and not be in conjunction with a regular Commission meeting; however, a couple of other agenda items may be added.

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12. Call to the Public

Tom Carlson of Tucson, representing himself, addressed the Commission in regards to increased opportunity. Mr. Carlson offered suggestions such as reducing coyotes that prey on deer by implementing a night hunt with a special license for control; create more water catchments; get volunteer program off the ground with aggressive coordinators (Mr. Carlson applied to be a Department volunteer and never heard anything back); and develop untapped and low cost opportunities. Mr. Carlson also requested that the Commission get the Department back on track in working for the hunters who are the customers.

Dave Blankenbaker of Tucson, representing himself, addressed the Commission in regards to aircraft owners who also hunt and the current proposed laws that are making him choose between flying and hunting. While flying with his son prior to hunt, he was cited for spotting. He does not need an airplane to find an elk six days before a hunt. There is no distinction between viewing wildlife and sighting wildlife. The language in the rule needs to be changed and its coming up for a 5 Year review. With this law, the Commission has taken his hobby away, and so far it's cost \$4,000 dollars to deal with this issue. If he has to choose, flying will win. Mr. Blankenbaker provided a chart for the Commission that showed the open days for hunting which dictates how and when he can fly his plane.

Sandy Barr, Conservation Director, Sierra Club – Grand Canyon Chapter, thanked Commission for moving feeding bill. The people of Arizona are the Commission's constituents and not just

hunters and fishers, and all of Arizona's wildlife is the Commissions responsibility. On public land issues, Ms. Barr encouraged the Commission to look at some of the bigger issues relative to wildlife and not just access, for instance, whether or not desert roads and off road recreation is affecting wildlife. In regards to the Commission's work sessions, Ms. Barr suggested the Commission look at what more the Department and Commission could do for the problems with development and habitat fragmentation in the urban sprawl.

Matt Skroch, Sky Island Alliance stated that besides hunting, wildlife viewing also brings in revenue. It goes farther than hunting and fishing, there are other things and avenues that the Commission needs to take into consideration. The Commission needs to think about changing values and the importance of designated wildlife areas.

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Meeting recessed for lunch at 12:17 p.m.

Meeting reconvened at 1:15 p.m.

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13. Executive Session

The Commission voted to meet in Executive Session in accordance with A.R.S. § 38-431.03 (A)(3) and (4) for the purpose of discussion and consultation with legal counsel.

Motion: Golightly moved and McLean seconded THAT THE COMMISSION GO INTO EXECUTIVE SESSION.

Vote: Unanimous
4 to 0
Gilstrap absent

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14. Hearings on License Revocations for Violation of Game and Fish Codes and Civil Assessments for the Illegal Taking and/or Possession of Wildlife

Presenter: Ronald L. Day, Law Enforcement Branch Chief

Record of these proceedings is maintained in a separate minutes book in the Director's Office.

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Meeting recessed for for a break at 11:49 a.m.

Meeting reconvened at 1:00 p.m.

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15. Briefing on Public Input to Date on Hunt Guidelines for 2006-2007

Presenter: Leonard Ordway, Game Branch Chief

Using a Power Point presentation, Mr. Ordway provided the Commission with an overview of public input received to date regarding the 2006-2007 hunt guidelines. The Commission approved the hunt guidelines proposed by the Department at the December Commission meeting and provided the Department with amended guidance regarding archery elk hunt structures at the February Commission meeting. Since the December Commission meeting, the Department held 11 public meetings around the state that were attended by 601 people and received 281 written comments via FAX, email, and regular mail. In addition, the Department solicited feedback through a mail questionnaire to North Kaibab deer hunters regarding the issuance of restricted nonpermit tags to holders of deer permit tags for Units 12AE and 12AW. The Arizona Deer Association also initiated an online survey, and Mr. Ordway shared the most up to date information regarding feedback on that survey as well. Although the Department received comments from the public regarding several hunts that will be set at future Commission meetings, the focus of the briefing was on the input that will influence Commission orders to be approved at the April Commission meeting. The Commission was provided with summary documents of all input from each public hunt meeting by city in which the meeting was held and all written public comments by species. Also, the Commission received copies of each written comment.

Chairman Melton asked about the Sandhill Crane population at Cibola Lake.

Mr. Ordway stated that the Lower Colorado crane population has reached the level that it can sustain hunting and the Department is currently meeting with the Pacific Flyway Council to explore that and obtain approval.

Commissioner Hernbrode asked if they were part of the Rocky Mountain population.

Mr. Ordway stated that initially they were thought to be a separate population, but DNA shows that they could be part of the Rocky Mountain population.

Pubic Comment

Steve Hopkins, Chapter Chairman for the Rocky Mountain Elk Foundation (REMF), stated that he is opposed to changing the whitetail deer hunts, in particular to shortening the season. Trophy hunters will have a more difficult time with those changes. Mr. Hopkins expressed support for the changes for the third draw for antelope and elk. With regards to elk, was in favor of the bonus point system, but at the rate the State of Arizona is growing, suggested implementing a waiting system. That would eliminate 23,000 applicants the first year and then 23,000 the second year, which would increase odds of drawing a permit. Then left over cow permits could be opened to anyone after the first draw regardless of waiting period status.

Larry Audsley from Tucson, representing himself, agreed with the waiting period suggestion. Mr. Audsley is an avid Southern Arizona whitetail deer hunter, who hunts in November and doesn't want to make October his primary hunt. Also, he does not agree that the October hunt should include two weekends. Further, Southern and Central Arizona people surveyed differently and the two populations should be handled differently. In regards to December hunts, they were shortened more than any other. December 22-31 would not be a ten day hunt for most people and it would not be a good hunt for families. There are so many changes this year that

they are hard to digest. The Department should not make such big changes and so many in one year.

Brian Dolan, Arizona Deer Association (ADA), addressed the Commission in regards to the survey done by ADA stating that they made every effort for an unbiased survey. Additionally, they will be getting a mailing list from the Department to send out surveys.

Commissioner McLean asked about the waiting period.

Richard Rico, Assistant Director, Special Services Division, stated that early bull elk hunts were looked at and it was found that a three year waiting period didn't effectively make any difference because as you pull those people out you have other people coming in behind them. It was the same for other hunt categories that were looked at.

Mr. Ordway stated that according to public comment, they didn't care if their odds became better, as long as the person next to them didn't get drawn two years in a row. It is a public perception issue.

Commissioner McLean asked with regard to the House Rock bison hunt, if current bonus point holders could be brought into that management hunt process.

Mr. Ordway stated that those individuals can apply and enter into the applicant pool like anybody else; however, to give them any preference treatment for the population management hunts would require a rule change.

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16. Director's and Chairman's Reports.

Director Shroufe has been busy with day to day activities regarding issues such as what's been presented to the Commission today.

Chairman Melton attended Legislature Day on February 15; spent several days assisting in putting collars on a couple of urban coyotes in Tucson; and flew up to view the condor release with Commissioner Hernbrode.

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17. Commissioners' Reports

Commissioner Golightly spent time at the Legislature and attended Legislature Day on February 15; also worked with WAFWA Commissioners on the upcoming summer meeting.

Commissioner McLean spent time at the Legislature and attended Legislature Day; attended a Friends of NRA banquet and fundraiser; attended fundraisers for the Pinal County; is attending an elk banquet tomorrow night; spent time doing other Commission business, i.e. reading.

Commissioner Hernbrode spent time working on day to day Commission business and attended the condor release.

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18. Approval of Minutes

Motion: Golightly moved and McLean seconded THAT THE COMMISSION VOTE TO APPROVE THE COMMISSION MEETING MINUTES FROM FEBRUARY 10-11, 2006.

Vote: Unanimous
4 to 0
Gilstrap absent

The Commission signed the minutes from the January 20, 2006 and January 30, 2006.

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19. Call to the Public

None at this time.

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20. Future Agenda Items

Mr. Ferrell stated that he captured three action items:

- Reinststate Mr. Arndorfer's 14 bonus points for elk
- Schedule a Commission work session this summer, possibly Sipes, to discuss at least two of the following items: access, deer management, rules process, BLM land management planning process
- Have volunteer coordinator contact Mr. Tom Carlson to find out why he was not contacted regarding his request to become a Department volunteer.

Commissioner McLean stated that he still needed a map showing the D Bar and Apache Maid allotments to which Director Shroufe stated he would have that by Monday.

Public Comment

Ted Dowling, from the State Legislature, addressed the Commission and thanked them for doing a great job in regards to public outreach and information on urban wildlife interface issues.

Director Shroufe reminded everyone of the cleanup day scheduled for tomorrow morning hosted by the Hunters who Care organization. Two Commissioners plan to attend so it will not be a quorum or considered a Commission meeting.

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Motion: McLean moved and Golightly seconded THAT THE COMMISSION VOTE TO ADJOURN.

Vote: Unanimous

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Meeting adjourned at 3:45 p.m.

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Joe Melton, Chairman

Michael M. Golightly, Member

William H. McLean, Member

Robert Hernbrode, Member

W. Hays Gilstrap, Member

ATTEST:

Duane L. Shroufe
Secretary and Director